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UNITED STATES DEPARTMENT OF AGRICULTURE 2015 JUL 17 PM 2: 17

BEFORE THE SECRETARY OF AGRICULTURE RECEIVED

In re:	)	AWA Docket No. 15-0147
	)	
KAREN WOODY, an individual doing business as WOODY'S MENAGERIE; GREGG WOODY, an individual doing business as WOODY'S MENAGERIE; and GREGG WOODY KAREN WOODY, an Illinois general partnership doing business as WOODY'S MENAGERIE,	)	15-0148 15-0149
	)	
Respondents.	)	COMPLAINT

There is reason to believe that the respondents named herein have willfully violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (Act or AWA), and the regulations issued pursuant thereto (9 C.F.R. § 1.1 et seq.) (Regulations). Therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS), issues this complaint alleging the following:

JURISDICTIONAL ALLEGATIONS

1. Gregg Woody Karen Woody (Woody Partnership) is an Illinois general partnership doing business as Woody's Menagerie, and whose business mailing address is Post Office Box 68, 1909 Old Park Avenue, Mulberry Grove, Illinois 62262. At all times mentioned herein, the Woody Partnership was an exhibitor and a dealer, as those terms are used in the Act and the Regulations, and held AWA license 33-C-0218.

2. Gregg Woody is an individual doing business as Woody's Menagerie, and whose business mailing address is Post Office Box 68, 1909 Old Park Avenue, Mulberry Grove, Illinois 62262. At all times mentioned herein, respondent Gregg Woody was an exhibitor and a dealer, as those terms are used in the Act and the Regulations, and was a partner in the Woody Partnership.

3. Karen Woody is an individual doing business as Woody's Menagerie, and whose business mailing address is Post Office Box 68, 1909 Old Park Avenue, Mulberry Grove, Illinois 62262. At all times mentioned herein, respondent Karen Woody was an exhibitor and a dealer, as those terms are used in the Act and the Regulations, and was a partner in the Woody Partnership.

ALLEGATIONS REGARDING BUSINESS SIZE,
GRAVITY OF VIOLATIONS, GOOD FAITH AND COMPLIANCE HISTORY

4. In 2011, the Woody Partnership reported to APHIS that it held 95 animals. In 2012, said respondent reported to APHIS that it held 68 animals. In 2013, said respondent reported to APHIS that it held 34 animals. In 2014, said respondent reported to APHIS that it held 38 animals. The gravity of the violations alleged herein is great, involving repeated failures to provide minimally-adequate, or any, veterinary care to animals, resulting in animal deaths, repeated failures to provide access for inspection, and repeated noncompliance with the record-keeping Regulations. Respondents have not shown good faith. On September 21, 2010, APHIS issued an Official Warning to the Woody Partnership for failing to comply with the handling Regulations. Despite multiple warnings, respondents have continued to fail to comply with the applicable Regulations, or to meet the minimal Standards. Respondents have made false statements to inspectors regarding animals, and impeded APHIS's ability to enforce the Act.

ALLEGED VIOLATIONS

5. On or about July 20, 2012, respondents willfully violated the Regulations by failing to identify four dogs, as required. 9 C.F.R. § 2.50(c).

6. On or about March 21, 2011, May 16, 2011, September 13, 2012, and September 17, 2013, respondents willfully violated the Act and the Regulations by refusing to permit APHIS to inspect their facilities, records, and animals, or by failing to have a responsible person available to

accompany APHIS inspectors on such an inspection. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

7. On or about June 21 and 22, 2011, respondents willfully violated the Act and the Regulations by failing to allow APHIS officials to inspect and photograph respondents' animals, and specifically, respondents failed to make a bear available for inspection, and falsely represented to APHIS that respondents had made all of the animals in their custody available for inspection, and that in fact the APHIS personnel had seen all of respondents' animals. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

8. On or about the following dates, respondents willfully violated the Regulations (9 C.F.R. § 2.40), by failing to provide adequate veterinary care to animals, and/or failing to establish and maintain programs of veterinary care that included the availability of appropriate personnel, the use of appropriate methods to prevent, control, and treat diseases and injuries, daily observation and a mechanism of direct and frequent communication with respondents' attending veterinarian, and adequate guidance to personnel regarding animal handling and euthanasia:

a. April 27, 2011, through May 6, 2011. Respondents housed a visibly ailing Rocky Mountain goat in a transport trailer for nine days before obtaining veterinary care for the goat, and the goat died on May 8, 2011, from pneumonia resulting from a pasturella infection. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3), 2.40(b)(4).

b. June 21, 2011. A female mountain lion that was housed in a transport enclosure was observed to be thin and unthrifty in appearance, with a poor haircoat, and visible hip bones and spine, and had not been seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3), 2.40(b)(4).

c. January 31, 2011 through June 21, 2011. A female tiger was observed to have

small, black, hairless spots all over her body, respondents had observed this condition for over four months, and had nevertheless not had the tiger seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

d. June 21, 2011. A female bear had multiple visible, and established, injuries (a 4-inch long gash on her right front paw, and an injury to the pad of the third digit on her right rear foot), and respondents had not had the bear seen by a veterinarian.[1] 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

e. May 31, 2012, through September 21, 2012. A juvenile male lion (Scotty) exhibited ataxia, difficulty walking, and impaired vision for more than three months, and respondents had not had Scotty seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

f. October 1, 2012. Respondents failed to obtain veterinary care for a juvenile male lion (Scotty) with treatable conditions, and instead respondents killed Scotty by shooting him to death and thereafter, according to respondent Gregg Woody, sold his carcass to a local weight lifter. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3), 2.40(b)(4).

g. October 4, 2012. A female bear (Bailey) appeared to be unable to walk without difficulty, was non-weight bearing on her rear legs, and had apparently inflamed rear foot pads, and respondents had not had the bear seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

h. September 21, 2012, through October 4, 2012. Two juvenile lions were

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[1]Respondent Gregg Woody advised that he had not noticed the injuries and they must have just happened, while respondent Karen Woody advised that she had recently been treating the bear with "iodine spray."

observed to have numerous, hairless, circular-shaped skin lesions all over their bodies, and, although respondent Gregg Woody averred on September 21, 2012, that he was treating the lions for ringworm, the lions were observed on October 4, 2012, to have more and larger lesions, indicating that whatever treatment respondents were purportedly administering was not successful, and respondents had not had either lion seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

i. October 4, 2012. A female lion appeared to have difficulty walking, and was observed to be unsteady, and to exhibit weakness in her rear legs and hips, and respondents had not had the lion seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

j. December 17, 2012. A juvenile female liger in respondents' custody died of unknown causes and without having received veterinary care, respondents failed to communicate with their attending veterinarian while the liger was alive, and after the liger died, respondents failed to have a necropsy performed to determine the cause of the liger's death, and instead gave the attending veterinarian a bucket containing what respondents asserted were the liger's intestines and stomach for examination. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

k. January 28, 2013. A juvenile female serval acquired by respondents on December 24, 2012, died of unknown causes and without having received veterinary care, even though respondents had observed that the serval "was sick" and respondents believed that the serval had "a respiratory problem," and respondents nevertheless failed to communicate with their attending veterinarian while the serval was alive, and after the serval

died, respondents failed to have a necropsy performed to determine the cause of the serval's death. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

l. January 31, 2013. A juvenile lion was observed to have bowed legs indicative of metabolic bone disease, and respondents had not had the lion seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

m. July 3, 2013. A spotted pig appeared to have difficulty walking, and was observed to be non-weight bearing on its right rear leg and toe-touching, with an exaggerated limp, and respondents had neither noticed the pig's condition nor had the pig seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

9. On or about the following dates, respondents willfully violated the record-keeping Regulations (9 C.F.R. § 2.75(b):

a. June 21 and 22, 2011. Respondents failed to make, keep, and maintain complete and accurate records for multiple animals.

b. July 5, 2011 and August 24, 2011. Respondents failed to make, keep, and maintain records available for inspection.

c. January 31, 2013. Respondents failed to make, keep, and maintain complete and accurate acquisition and/or disposition records for the following animals:

- Female serval (no records)
- Porcupine (no records)
- Nilgai acquisition 4/1/01
- Zebu acquisition 4/10/08
- Alpaca acquisition 7/2008
- Alpaca acquisition 7/2008
- Alpaca acquisition 7/2010
- Kinkajou acquisition 9/24/08
- Porcupine acquisition on unknown date
- Coatimundi acquisition 8/2009

- Coatimundi acquisition 8/2009
- Cougar acquisition 9/2009
- Camel acquisition 4/8/10
- Blackbuck acquisition 4/8/10
- Blackbuck acquisition 4/8/10
- Zebra acquisition 4/8/10
- Zebra acquisition 4/8/10
- Oryx acquisition 4/8/10
- Oryx acquisition 4/8/10
- Camel acquisition 4/2010
- Wolf acquisition 4/2010
- Coatimundi disposition 4/2010
- Camel acquisition 7/2010
- Wildebeest acquisition 7/2010
- Black-backed jackal acquisition 7/2010
- Black-backed jackal acquisition 7/2010
- Porcupine acquisition 7/2010
- Liger acquisition 8/19/10
- Liger acquisition 8/19/10
- Black-backed jackal disposition 9/21/10
- Black-backed jackal disposition 9/21/10
- Blue angora goat acquisition 10/30/10
- Blue angora goat acquisition 10/30/10
- Blue angora goat acquisition 10/30/10
- Blue angora goat acquisition 10/30/10
- Blue angora goat acquisition 10/30/10
- Blue angora goat acquisition 10/30/10
- Liger disposition 11/2010
- Elk disposition 12/2010
- African crested porcupine acquisition 10/2010
- Buffalo acquisition 10/30/10
- Savannah cat acquisition 12/15/10
- Kinkajou acquisition 12/15/10
- Jacob's sheep disposition 12/18/10
- Jacob's sheep disposition 12/18/10
- Jacob's sheep disposition 12/18/10
- Jacob's sheep disposition 12/18/10
- Wild boar disposition 12/18/10
- Wild boar disposition 12/18/10
- Lion (King) acquisition 1/2011
- Tiger acquisition 1/2011
- Tiger acquisition 1/2011
- Liger acquisition/disposition 8/2010 ("died")
- Liger (Keefa) acquisition 8/2010

- Liger (Noah) acquisition 8/2010
- Liger (Tabitha) acquisition 8/2010
- Liger acquisition 2/17/11
- Armadillo 3/2011
- Striped hyena acquisition 4/11/11
- Striped hyena acquisition 4/11/11
- Yak acquisition 4/25/11
- Yak disposition 4/27/11
- Dexter calf acquisition 4/29/11
- Brown bear disposition 5/16/11
- Brown bear disposition 5/16/11
- Black bear disposition 5/16/11
- Black bear disposition 5/16/11
- Japanese snow monkey disposition 7/8/11 ("Died")
- Zebu (Bonnie)
- Zebu (Chole acquisition 8/2009
- Zebu (Baby) acquisition 3/2012
- Zebu acquisition 7/2011
- Axis [deer] disposition 7/28/11
- European bear acquisition 9/22/11
- Cougar acquisition 9/11/11
- Cavy acquisition 9/11/11
- Fennec [fox] 9/11/11
- NA porcupine 9/11/11
- Nilgai disposition 9/21/11
- Nilgai disposition 9/21/11
- Buffalo disposition 9/21/11
- Wildebeest disposition 9/21/11
- Lion disposition 10/7/11
- Lion disposition 10/7/11
- Lion (Bubba #2) acquisition 10/7/11
- Camel (Rex) disposition 11/2011
- Serval disposition 12/14/11
- Fallow deer disposition 1/12/12
- Fallow deer disposition 1/12/12
- Fallow deer disposition 1/12/12
- Fallow deer disposition 1/12/12
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012

- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Four-horned sheep acquisition 2/2012
- Brown bear (Lyra) disposition 2/13/12
- Brown bear (Cici) disposition 2/15/12 ("Slaughter")
- Beaver acquisition 4/8/12
- Bear disposition 4/3/12
- Bear disposition 4/10/12
- Groundhog acquisition 4/11/12
- Black bear disposition 4/11/12
- Black bear disposition 4/11/12
- Black bear disposition 4/11/12
- Lion disposition 4/8/12 and 4/17/12 ("Slaughter")
- Wallaby disposition 4/10/12
- Bengal cat disposition 4/10/12
- Bear disposition 4/10/12
- Cougar 4/10/12
- Billy goat disposition 5/2012
- Jacob's sheep disposition 5/2012
- [La Mancha] goat disposition 5/2012
- [Boar cross] goat disposition 5/2012
- Pig disposition and/or acquisition 5/2012
- Pig disposition and/or acquisition 5/2012
- Pig disposition and/or acquisition 5/2012
- Pig disposition and/or acquisition 5/2012
- Pig disposition and/or acquisition 5/2012
- Goat disposition and/or acquisition 5/2012
- Goat disposition and/or acquisition 5/2012
- Goat disposition and/or acquisition 5/2012
- Goat disposition and/or acquisition 5/2012
- Goat disposition and/or acquisition 5/2012
- Blue angora goat disposition 6/6/12
- Blue angora goat disposition 6/6/12
- Blue angora goat disposition 6/6/12
- Blue angora goat disposition 6/6/12
- Blue angora goat disposition 6/6/12
- Tiger (Sierra) acquisition 4/8/12
- Tiger (Sabrina) acquisition 4/8/12
- Tiger (Sierra) disposition 7/5/12 ("Heat")
- Tiger (Sabrina) disposition 7/1/12 ("Heat")
- Black bear disposition 7/13/12
- Black bear disposition 7/13/12
- Alpaca disposition 9/17/12
- Alpaca disposition 9/17/12

- Alpaca disposition 9/17/12
- Zebu disposition 9/17/12
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- Zebu disposition 9/17/12
- Angora goat disposition 9/17/12
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- Four-horned sheep disposition 9/17/12
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- Nubian goat disposition 9/17/12
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- Nubian goat disposition 9/17/12
- Axis deer disposition 9/17/12
- Camel disposition 9/17/12

- Dexter bull disposition 9/17/12
- African crested porcupine disposition 7/13/12
- Camel acquisition 7/13/12
- Lion disposition 7/19/12
- Cougar (Frisco) disposition 9/23/12
- Cougar (Jasmin) disposition 9/23/12
- Jacob's four-horned sheep disposition 9/25/12
- Jacob's four-horned sheep disposition 9/25/12
- Jacob's four-horned sheep disposition 9/25/12
- Jacob's four-horned sheep disposition 9/25/12
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- Jacob's four-horned sheep disposition 9/25/12
- Camel disposition 9/25/12
- Dexter bull disposition 9/25/12
- Pygmy goat disposition 9/25/12
- Pygmy goat disposition 9/25/12
- Kinkajou disposition 9/25/12
- Cavy disposition 9/25/12
- Bobcat acquisition 9/29/12
- Lion (Scotty) disposition 10/1/12 ("Slaughter")
- Bobcat disposition 10/8/12
- Brown bear acquisition 10/4/12

10. On or about the following dates, respondents willfully violated the Regulations governing the handling of animals:

a. April 27, 2011, through May 8, 2011. Respondents failed to handle a goat as carefully as possible in a manner that does not cause trauma, physical harm, or unnecessary discomfort, and specifically, respondents were engaged to transport a Rocky Mountain goat from the Utica Zoo, in Utica, New York, to the Pocatello Zoo, in Pocatello, Idaho, and rather

than deliver the goat to the Pocatello Zoo, transported the goat to respondents' facility in Mulberry Grove, Illinois, and kept the goat housed in a transport enclosure, where the goat died from Pneumonia caused by a pasturella infection. 9 C.F.R. § 2.131(b)(1).

b. July 1, 2012. Respondents failed to handle an adult tiger (Sabrina) as carefully as possible in a manner that does not cause overheating, physical harm, or unnecessary discomfort, and failed to take appropriate measures to alleviate the impact of climatic conditions (heat) that presented a threat to Sabrina, who died. 9 C.F.R. §§ 2.131(b)(1), 2.131(d)(2).

c. July 5, 2012. Respondents failed to handle an adult tiger (Sierra) as carefully as possible in a manner that does not cause overheating, physical harm, or unnecessary discomfort, and failed to take appropriate measures to alleviate the impact of climatic conditions (heat) that presented a threat to Sierra, who died. 9 C.F.R. §§ 2.131(b)(1), 2.131(d)(2).

d. October 1, 2012. Respondents failed to handle a juvenile male lion (Scotty) as carefully as possible in a manner that does not cause trauma, physical harm, or unnecessary discomfort, and, specifically, respondents shot Scotty to death. 9 C.F.R. § 2.131(b)(1).

11. On or about the following dates, respondents willfully violated the Regulations, 9 C.F.R. § 2.100(a), by failing to meet the AWA standards, as follows:

a. June 21, 2011. Respondents housed lions and ligers in enclosures that were in disrepair, with structurally-compromised support poles and beams, and a hole in the shelter in the lion enclosure. 9 C.F.R. § 3.125(a).

b. June 21, 2011. Respondents failed to enclose their facilities for large felids and bears by an adequate perimeter fence. 9 C.F.R. § 3.127(d).

c. June 21, 2011. Respondents failed to enclose their facilities for camels by an adequate perimeter fence. 9 C.F.R. § 3.127(d).

d. June 21, 2011. Respondents failed to remove excreta and debris from the primary enclosures, as required. 9 C.F.R. § 3.131(a).

e. June 21, 2011. Respondents failed to keep the premises clean, in order to protect the animals from disease and injury, and specifically, respondents' food preparation area contained, among other things, bloody fluid on the floor of the refrigerator containing meat, fruit, and raw chicken. 9 C.F.R. § 3.131(c).

f. July 5, 2011. Respondents housed bears in enclosures that were in disrepair, with sharp wires protruding into the enclosure and accessible to the bears. 9 C.F.R. § 3.125(a).

g. August 24, 2011. Respondents housed bears in enclosures that were in disrepair, with sharp wires protruding into the enclosure and accessible to the bears. 9 C.F.R. § 3.125(a).

h. August 24, 2011. Respondents housed ligers in an enclosure that was in disrepair, with structurally-compromised support poles. 9 C.F.R. § 3.125(a).

i. August 24, 2011. Respondents housed lions in an enclosure with a connecting door that was in disrepair. 9 C.F.R. § 3.125(a).

j. August 24, 2011. Respondents failed to enclose their facilities by an adequate perimeter fence. 9 C.F.R. § 3.127(d).

k. November 3, 2011. Respondents housed animals in enclosures with peeling paint that was accessible to and could be ingested by the animals. 9 C.F.R. § 3.125(a).

l. November 3, 2011. Respondents failed to store supplies of food in facilities that protect them against contamination. 9 C.F.R. § 3.125(c).

m. January 12, 2012. Respondents failed to provide three animals (an adult lion, a juvenile bear, and a white-tailed deer) with natural or artificial shelter from inclement weather. 9 C.F.R. § 3.127(b).

o. January 12, 2012. Respondents failed to enclose their facilities by an adequate perimeter fence. 9 C.F.R. § 3.127(d).

p. January 12, 2012. Respondents failed to provide a bear with sufficient space to make normal postural adjustments. 9 C.F.R. § 3.128.

q. January 12, 2012. Respondents failed to provide a liger with sufficient space to make normal postural adjustments. 9 C.F.R. § 3.128.

r. July 20, 2012. Respondents housed dogs in primary enclosures with peeling paint that exposed bare wood that could not be cleaned and sanitized. 9 C.F.R. § 3.6(a)(2)(ix).

s. July 20, 2012. Respondents failed to establish and maintain an effective program of pest control, and specifically, an APHIS inspector observed an excessive amount of flies in the enclosure housing dogs. 9 C.F.R. § 3.11(d).

t. September 21, 2012. Respondents failed to keep the premises clean, in order to protect the animals from injury, and specifically, there was a large mount of clutter , and debris adjacent to animal areas. 9 C.F.R. § 3.131(c).

u. September 21, 2012. Respondents failed to establish and maintain an effective program of pest control, and specifically, APHIS inspectors observed an excessive amount of flies in the enclosures housing the following animals (9 C.F.R. §§ 3.84(d), 3.131(d)):

- Lemurs
- Armadillos
- Cavy
- Kinkajous
- Pigs
- Tigers
- Ligers
- Lions
- Bears
- Beavers

v. January 31, 2013. Respondents failed to provide adequate lighting in facilities housing tigers and hyenas. 9 C.F.R. § 3.126(c).

w. January 31, 2013. Respondents failed to provide a tiger (Gigi) with sufficient space to make normal postural adjustments. 9 C.F.R. § 3.128.

x. January 31, 2013. Respondents failed to provide a juvenile lion with sufficient wholesome food that was appropriate for the lion's age and species. 9 C.F.R. § 3.129(a).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact willfully violated the Act and the regulations issued under the Act, this complaint shall be served upon the respondents. The respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this

complaint. APHIS requests that unless the respondents fail to file an answer within the time allowed therefor, or file an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and that such order or orders be issued as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.
this 17th day of July 2015

[redacted]
Administrator
Animal and Plant Health Inspection Service

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